

**Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility(SEAL)**  
**Formulario de Reclamo de Compensación de Trabajadores (DWC 1) y Notificación de Posible Elegibilidad**

If you are injured or become ill, either physically or mentally, because of your job, including injuries resulting from a workplace crime, you may be entitled to workers' compensation benefits. **You should read all of the information below.** Keep this sheet and all other papers for your records. You may be eligible for some or all of the benefits listed depending on the nature of your claim. The claims administrator will notify you of your eligibility for benefits.

Use the attached form to file a workers' compensation claim with your employer. Complete the "Employee" section of the form, keep one copy and give the rest to your employer. Do this right away because benefits may not start until you inform your employer about your injury by filing a claim form. Describe your injury completely. Include every part of your body affected by the injury. Within one working day after receiving the claim form, your employer must complete the "Employer" section, give you a dated copy, keep one copy, send one to the claims administrator responsible for handling your claim and authorize initial medical treatment. Your employer is responsible for up to \$10,000 in medical costs until your claim is accepted or rejected.

**Medical Care:** Your claims administrator will pay for all reasonable and necessary medical care for your work injury or illness. Medical benefits are subject to approval and may include treatment by a doctor, hospital services, physical therapy, lab tests, x-rays and medicines. Your claims administrator will pay the costs of approved medical services directly so you should never see a bill.

Medical Provider Networks (MPNs) and Health Care Organizations (HCOs) are groups of health care providers that provide treatment to workers injured on the job. You should receive information from your employer if you are covered by an MPN or HCO and you can contact your employer for more information. If your employer is using an MPN or HCO, in most cases you will be treated in the MPN or HCO unless you pre-designated your personal physician or medical group. If you did pre-designate, you may be treated by your personal physician or medical group after you are injured.

If your employer is not using an MPN or HCO, and you did not pre-designate, in most cases, the claims administrator can choose the doctor who treats you for the first 30 days after which you may switch to a doctor of your choice if you need additional medical care.

**The Primary Treating Physician (PTP)** is the doctor with the overall responsibility for treatment of your injury or illness.

**Disclosure of Medical Records:** After you make a claim for workers' compensation benefits, your medical records will not have the same level of privacy that you usually expect. If you don't agree to voluntarily release medical records, a workers' compensation judge may decide what records will be released. If you request privacy, the judge may "seal" (keep private) certain medical records.

**Payment for Temporary Disability (Lost Wages):** If you can't work while you are recovering from a job injury or illness, you may receive temporary disability payments for a limited period of time. These payments may change or stop when your doctor says you are able to return to work. These benefits are tax-free. Temporary disability payments are two-thirds of your average weekly pay, within minimums and maximums set by state law. Payments are not made for the first three days you are off the job unless you are hospitalized overnight or cannot work for more than 14 days.

**Return to Work:** To help you to return to work as soon as possible, you should actively communicate with your treating doctor, claims administrator and employer about the kinds of work you can do while recovering. They may coordinate efforts to return you to modified duty or other work that is medically appropriate. This modified or other duty may be temporary or may be extended depending on the nature of your injury or illness.

**Payment for Permanent Disability:** If a doctor says you have permanent disability because you will not recover completely from your injury, you may receive additional payments. The amount will depend on the type of injury, extent of impairment, your age, occupation, date of injury, and your wages before you were injured.

**Supplemental Job Displacement Benefit (SJDB):** If you were injured after 2013, your injury results in a permanent disability, and your employer does not offer regular, modified, or alternative work, you may qualify for a voucher to pay for retraining and/or skill enhancement, books, tools or other resources to help you find a job. If you qualify, the claims administrator will send information on what expenses are covered, the limits, documentation requirements, and deadlines.

**Death Benefits:** If the injury or illness causes death, payments may be made to individuals who were financially dependent on the deceased worker.

**Resolving Problems or Disputes:** You have the right to disagree with decisions affecting your claim. If you have a disagreement, contact the claims administrator first to see if you can resolve it. If you have a dispute over a denial or modification of medical care, you can request an independent medical review using the form that will be sent by the claims administrator. If you are not receiving benefits, you may be able to get State Disability Insurance (SDI) or unemployment insurance (UI) benefits. Call the state Employment Development Department at (800) 480-3287 or (800) 333-4606, or go to their website at [www.edd.ca.gov](http://www.edd.ca.gov).

It is illegal for your employer to punish or fire you for having a job injury or illness, for filing a claim, or testifying in another person's workers' compensation case (Labor Code 132a). If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state.

**For Free Help and Information: Contact an Information & Assistance (I&A) Officer:** State I&A officers answer questions, help injured workers, provide forms, and help resolve problems for free. Some I&A officers hold workshops for injured workers. To obtain important information about the workers' compensation claims process and your rights and obligations, go to [www.dwc.ca.gov](http://www.dwc.ca.gov) or contact an I&A officer of the state Division of Workers' Compensation. You can also hear recorded information and a list of local I&A offices by calling (800) 736-7401.

**You can consult with an attorney:** Most attorneys offer one free consultation. If you decide to hire an attorney, his or her fee will be taken out of some of your benefits. For names of workers' compensation attorneys, call the State Bar of California at (415) 538-2120 or go to their web site at [www.californiaspecialist.org](http://www.californiaspecialist.org).

**Learn More About Workers' Compensation:** For more information about the workers' compensation claims process, go to [www.dwc.ca.gov](http://www.dwc.ca.gov). At the website, you can access a useful booklet, "Workers' Compensation in California: A Guidebook for Injured Workers." You can also contact an Information & Assistance Officer (above), or hear recorded information by calling 1-800-736-7401.

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